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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,953	05/03/2001	Kevin Hickerson	0007975-0007	6923
30076	7590	03/30/2006	EXAMINER	
BROWN RAYSMAN MILLSTEIN FELDER & STEINER, LLP 1880 CENTURY PARK EAST 12TH FLOOR LOS ANGELES, CA 90067			CHAWAN, SHEELA C	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/848,953	Applicant(s) HICKERSON ET AL.	
	Examiner Sheela C. Chawan	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 29, 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on Dec 29, 2005 has been entered and made of record.

Claims 1- 69 are pending in the application.

Response to Arguments

2. Applicant's arguments, see page 13, lines 12-13 of the remarks, filed 12/29/05, with respect to rejection of claims 1-69 under 102(e) and 103(a) have been fully considered and are persuasive. The 102(e) and 103(a) rejection of claims 1-69 has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Platt et al., (US 5,812,698).

Request For Continued Examination

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 1935 Comm'r Dec. 11 (1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application 09/848,953 has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 12/29/05 has been entered.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1- 8,11-15,20-31, 34-38, 43-54,58-61, 66-69 are rejected under 35 U.S.C. 102(e) as being anticipated by Platt et al., (US 5,812,698).

As to claim 1, Platt discloses a method of translating handwritten (column 3, lines 63-65, column 4, lines 2-3) input to machine readable characters comprising:

obtaining a first data item (fig 1, input handwritten characters formed on stylus 12 onto a tablet input device 14, column 4, lines 1- 4,6 – 9, 47- 55); and

performing one or more recognition processing operations (column 4, lines 6-9) upon said data item by a preprocessor (column 4, lines 6-9, column 5, lines 2- 5), a special purpose hardware recognition processing (column 4, lines 6- 30) unit and a postprocessor to produce a second data item (column 2, lines 41- 51, column 4, lines 10-21).

As to claims 2, 25 and 48, Platt discloses the method wherein said first data item is a handwritten symbol, (fig 1, element 12 a stylus onto a tablet input device 14, column 4, lines 1-3, column 4, lines 47- 55).

As to claim 24, see the rejection of claim 1, above.

As to claim 47, see the rejection of claim 1, above.

As to claims 3, 26 and 49, Platt discloses the method of altering said first data item by a preprocessor to a reduced form (column 11, lines 6- 24).

As to claims 4, 27 and 50, Platt discloses the method wherein said step of altering is fully information preserving (column 11, lines 6- 24).

As to claims 5, 28 and 51, Platt discloses the method further comprising:
selecting one or more machine-readable characters by a postprocessor (column 5, lines 44- 46, 61- 63).

As to claims 6, 29 and 52, Platt discloses the method wherein said special purpose hardware unit is configured to perform a first recognition processing operation and a second recognition processing operation in parallel (fig 1, column 4, lines 6 - 9, column 4, lines 6- 30, column 5, lines 2- 5).

As to claims 7, 30 and 53, Platt discloses the method wherein said special hardware unit is configured to perform hidden Markov model computations (abstract, column 17, lines 3-11, column 21, lines 20- 27, 40- 44)

As to claims 8 and 31, Platt discloses the method wherein said special purpose hardware unit comprises:

a memory unit (fig 20, 336).

As to claims 11, 34, 54 and 57, Platt discloses the method wherein said data item is a combination of a plurality of handwritten symbols (fig 1, note plurality of symbol corresponds to ABC).

As to claims 12, 35 and 58, Platt discloses the method further comprising:

adjusting the operation of said special purpose hardware unit in accordance with a set of training data (abstract, column 7, lines 33-41, column 21, lines 20-27, 40-51).

As to claims 13, 36 and 59, Platt discloses the method further comprising:
adjusting the operation of said preprocessor in accordance with a set of training data (abstract, column 7, lines 33-41, column 21, lines 20-27, 40-51).

As to claims 14, 37 and 60, Platt discloses the method further comprising:
adjusting the operation of said postprocessor (fig 1, item 22) in accordance with a set of training data (fig 1, item 20, column 5, lines 2-5).

As to claims 15, 38 and 61, Baker discloses the method wherein said step of selecting comprises:

determining a context of said data item (column 1, lines 9-40, column 5, lines 24-67, column 10, lines 21-27).

As to claims 21, 44 and 67, Platt discloses the method wherein said hidden Markov model operations are forward probability calculations (column 16, lines 26- 40).

As to claims 22, 45 and 68, Platt discloses the method wherein said hidden Markov model operations are backward probability calculations (column 16, lines 26-40).

As to claims 23, 46 and 69, Platt discloses the method of wherein one or more wordlets are part of a symbol alphabet (fig 1).

As to claim 20, argument analogous those presented for claim 1 are applicable to claim 20. Regarding performing one or more hidden Markov model operations upon....

as discloses by Platt as follow (abstract, column 17, lines 3-11, column 21, lines 20- 27, 40- 44)

As to claim 43, see the rejection of claim 20, above.

As to claim 66, see the rejection of claim 20, above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 9-10,16-19,32-33, 39-42,55-56, 62-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Platt et al., (US. 5,812,698), as applied to the

claims 1- 8,11-15,20-31, 34-38, 43-54,58-61, 66-69 above and further in view of Friend et al. (US. 5,455,901).

Regarding claims 9, 32 and 55, Platt discloses handwriting recognition system and method Platt does not discloses presenting said machine readable characters to a user.

Friend discloses an input device which is related to the field of handwritten data entry in computer system and it ability to translate original handwritten strokes of ink or blocks of ink into machine-readable words or characters for display. The system comprises of: presenting said machine readable characters to a user (column 10, lines 5- 18). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Platt to present said machine readable

characters to a user. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Platt by the teaching of Friend in order to provide an improved data entry for handwriting entry computer system by disabling the automatic display of a translation of the entered data, (as suggested by Friend at column 4, lines 9- 11).

As to claims 10, 33 and 56, Friend discloses the method further comprising obtaining an indication from said user of whether said machine readable characters are a correct translation of said data item (column 2, lines 1- 37, column 6, lines 56- 67, column 7, lines 14- 47, column 9, lines 6- 15).

As to claims 16, 39 and 62, Friend discloses the method wherein said step of selecting I further comprises determining a correctly spelled word wherein said machine

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readable characters appear in said correctly spelled word and said correctly spelled word is appropriate for said context (column 2, lines 1- 37, column 6, lines 56- 67, column 7, lines 14- 47, column 9, lines 6- 15).

As to claims 17, 40 and 63, Friend discloses the method wherein said step of selecting further comprises:

determining whether machine readable characters are grammatically incorrect for said context (column 2, lines 1- 37, column 6, lines 56- 67, column 7, lines 14- 47, column 9, lines 6- 15).

As to claims 18, 41 and 64, Friend discloses the method of claim 15 wherein said step of selecting further comprises:

determining a word in which said machine readable characters appear in said word and said word appeared previously in said context (column 6, lines 56- 67, column 7, lines 1 - 47).

As to claims 19, 42 and 65, Friend discloses the method of claim 15 wherein said step of selecting further comprises:

examining a set of user information (column 7, lines 31- 47).

Other prior art cited

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hilton (US. 5,107,541) discloses method and apparatus for capturing information in drawing or writing.

Monroe (US. 6,633,282 B1) discloses ballpoint pen type input device for computer.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 5.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sheela Chawan
Patent Examiner
Group Art Unit 2623
March 8, 2006